

## RECORD OF THE SENATE

WEDNESDAY, OCTOBER 26, 1994

### RESUMPTION OF THE SESSION

*At 10:55 a.m., the session was resumed with the Honorable Senator Jose D. Lina, Jr., presiding.*

**The Presiding Officer [Senator Lina]:** The session is resumed.

The Majority Leader is recognized.

**Senator Romulo:** Mr. President, may I ask the Secretary to read the Second Additional Reference of Business.

**The Presiding Officer [Senator Lina]:** The Secretary will read the Second Additional Reference of Business.

### SECOND ADDITIONAL REFERENCE OF BUSINESS

#### MESSAGES OF THE PRESIDENT OF THE PHILIPPINES

**The Secretary:**

October 24, 1994

HONORABLE EDGARDO J. ANGARA  
Senate President  
Senate of the Philippines  
M a n i l a

Dear Senate President Angara:

Pursuant to Section 26(2), Article VI of the Constitution, I hereby certify to the necessity of the immediate enactment of Senate Bill No. 1913, entitled

#### AN ACT PROVIDING FOR A SYSTEM OF ELECTING MEMBERS OF THE HOUSE OF REPRESENTATIVES THROUGH A PARTY-LIST SYSTEM,

to meet the public emergency consisting of the need to put in place reforms in the electoral system prior to the election period which begins on February 7, 1995, to maintain social cohesion and avoid disruption and violence, and thereby ensure credible, honest, orderly and peaceful elections.

Very truly yours,

(Sgd.) FIDEL V. RAMOS

**The Presiding Officer [Senator Lina]:** Referred to the Committee on Rules.

**The Secretary:**

October 24, 1994

HONORABLE EDGARDO J. ANGARA  
Senate President  
Senate of the Philippines  
M a n i l a

Dear Senate President Angara:

Pursuant to Section 26(2), Article VI of the Constitution, I hereby certify to the necessity of the immediate enactment of Senate Bill No. 1919, entitled

#### AN ACT TO PROHIBIT POLITICAL DYNASTY,

to meet the public emergency consisting of the need to put in place reforms in the electoral system prior to the election period which begins on February 7, 1995, to maintain social cohesion and avoid disruption and violence, and thereby ensure credible, honest, orderly and peaceful elections.

Very truly yours,

(Sgd.) FIDEL V. RAMOS

**The Presiding Officer [Senator Lina]:** Referred to the Committee on Rules.

**The Secretary:**

October 24, 1994

HONORABLE EDGARDO J. ANGARA  
Senate President  
Senate of the Philippines  
M a n i l a

Dear Senate President Angara:

Pursuant to Section 26(2), Article VI of the Constitution, I hereby certify to the necessity of the immediate enactment of Senate Bill No. 1920, entitled

#### AN ACT PROVIDING FOR A SYSTEM OF CONTINUING REGISTRATION OF VOTERS AND PRESCRIBING THE

AND PROVINCIAL CANDIDATES,  
AMENDING FOR THAT PURPOSE  
SECTIONS 28 AND 29 OF REPUBLIC ACT  
NO. 7166, AND FOR OTHER PURPOSES,

to meet the public emergency consisting of the need to put in place reforms in the electoral system prior to the election period which begins on February 7, 1995, to maintain social cohesion and avoid disruption and violence, and thereby ensure credible, honest, orderly and peaceful elections.

Very truly yours,

(Sgd.) FIDEL V. RAMOS

**The Presiding Officer** [Senator Lina]: Referred to the Committee on Rules.

#### SUSPENSION OF THE SESSION

**Senator Romulo:** Mr. President, today is a special day for us and for one of our distinguished Colleagues, Senator Roco. So that we can greet him, may I ask for a one and a half minute suspension of the session.

**The Presiding Officer** [Senator Lina]: The session is suspended, if there is no objection. [*There was none.*]

*It was 10:58 a.m.*

#### RESUMPTION OF THE SESSION

*At 10:59 a.m., the session was resumed.*

**The Presiding Officer** [Senator Lina]: The session is resumed.

**Senator Romulo:** Mr. President, tomorrow, we have three bills that we will call for Third Reading. Pursuant to our *Rules*, printed copies have been distributed since Monday and before.

So we shall take up the bills for Third Reading tomorrow as appearing in the Calendar for Bills Pending Third Reading.

#### BILL ON SECOND READING

**House Bill No. 1248 - Repatriation of Filipino Women**  
(Continuation)

Mr. President, I move that we resume consideration of House Bill No. 1248 as reported out under Committee Report No. 563.

**The Presiding Officer** [Senator Lina]: Resumption of consideration of House Bill No. 1248 is now in order.

**Senator Romulo:** We have closed the period of interpellations. I move that we consider the Committee amendments.

I ask that the distinguished Sponsor of the bill and our celebrant, Senator Raul Roco, be recognized for the Committee amendments.

**The Presiding Officer** [Senator Lina]: Senator Roco, the Sponsor of the measure, is recognized for Committee amendments.

**Senator Roco:** Thank you, Mr. President.

May we just put on record by way of reiterating what was already mentioned in the Committee Report, that the Committee Report includes Senate Bill No. 885 in consolidation with House Bill No. 1248, Senate Bill No. 885 having been authored by my distinguished learned friend from the Bicol Region, Senator Tatad.

#### COMMITTEE AMENDMENTS

The first Committee amendment, Mr. President, will combine Section 1 and Section 2. I will just read the proposed amendment instead of describing the insertions or deletions.

Section 1, Mr. President, shall now read, as follows: "ANY FILIPINO WHO HAS LOST HIS OR HER PHILIPPINE CITIZENSHIP BY MARRIAGE TO ALIENS, OR FOR ANY OTHER REASON, MAY REACQUIRE PHILIPPINE CITIZENSHIP THROUGH REPATRIATION", then jump to Section 2, "BY TAKING THE NECESSARY OATH OF ALLEGIANCE TO THE REPUBLIC OF THE PHILIPPINES AND REGISTRATION IN THE PROPER CIVIL REGISTRY AND IN THE BUREAU OF IMMIGRATION period (.)"

The second sentence of Section 1 shall be the second sentence of the present Section 2, which reads: "THE BUREAU OF IMMIGRATION SHALL THEREUPON CANCEL THE PERTINENT ALIEN CERTIFICATION OF REGISTRATION AND ISSUE THE CERTIFICATE OF IDENTIFICATION AS FILIPINO CITIZEN TO THE REPATRIATED CITIZEN."

That is the first proposed Committee amendment, Mr. President.

**Senator Osmeña:** Mr. President.

**The Presiding Officer** [Senator Lina]: Senator Osmeña would like to comment on the proposed Committee amendment.

**Senator Osmeña:** Will the Chairman yield, just a clarification?

**Senator Roco:** By all means. We will be very happy to answer the distinguished Gentleman, Mr. President.

**Senator Osmeña:** Mr. President, by requiring the BID to issue a certificate, are we, therefore, saying that the DFA is barred from issuing a passport?

**Senator Roco:** No, Mr. President. In fact, if the Gentleman wishes, we can also put an additional provision.

**Senator Osmeña:** I just want to clarify that, Mr. President. Normally, what people do when they want to prove their citizenship is they do not go to BID for a certificate; they go to the DFA for a passport.

**Senator Roco:** Yes. The first act, however, is to request the BID to cancel their alien certificate of registration.

**Senator Osmeña:** Thank you very much, Mr. President. I just wanted the *Records* to show that clearly.

**Senator Roco:** Yes. Thank you very much, Mr. President.

**Senator Tañada:** Mr. President.

**The Presiding Officer** [Senator Lina]: The Chair recognizes Senator Tañada.

**Senator Tañada:** Just a point of clarification, Mr. President.

As a result of the proposed Committee amendment, it would appear that the measure is no longer limiting its coverage to Filipino women, but to men as well.

**Senator Roco:** Yes. That is correct, Mr. President. In fact we remove the qualification or the noun "women" so that it applies to any Filipino who has lost his or her citizenship by marriage or by any other cause.

**Senator Tañada:** In the case of a Filipino male losing his citizenship, Mr. President, his reacquisition of his Philippine citizenship could be done under this measure by just taking the oath of allegiance and then registering the same with the Bureau of Immigration.

**Senator Roco:** And the Civil Registry.

**Senator Tañada:** And the Civil Registry.

So, Mr. President, if this measure had already become a law, let us say, in 1987 or in 1992, would the Gentleman say that the Governor of Sorsogon, Governor Frivaldo, need not have gone to court to reacquire his Philippine citizenship?

**Senator Roco:** In fact, I see the principal author of the House Bill, being the Gentleman from Sorsogon, nodding his head, Mr. President.

**Senator Tañada:** Thank you very much, Mr. President.

**Senator Roco:** That will also be applicable to the one in Baguio, Mayor Labo.

**Senator Tañada:** Mayor Labo.

**Senator Roco:** I understand there may be a handful of others who fell between the cracks of the citizenship laws.

**Senator Gonzales:** Mr. President.

**The Presiding Officer** [Senator Lina]: Senator Neptali A. Gonzales is recognized.

**Senator Gonzales:** Mr. President, will the distinguished Sponsor yield for just one or two clarificatory questions?

**Senator Roco:** Yes, we are very happy to answer the queries of the principal author of the transposition, Mr. President.

**Senator Gonzales:** Thank you, Mr. President.

In a situation wherein a natural-born Filipino citizen loses his Philippine citizenship and reacquires the same through the process of repatriation, does he reacquire it in the same condition when he lost it? Will he be considered as a natural-born citizen of the Philippines or a naturalized Filipino citizen by reason of repatriation since repatriation is itself a form of naturalization?

This is important, Mr. President, insofar as offices which require, as one of the qualifications, that one be a natural-born citizen of the Philippines. If this bill does not intend to settle that issue, probably the better forum would be the Supreme Court or the appropriate electoral tribunals.

**Senator Roco:** Mr. President, by way of offering my legal opinion. Reading the provision with the amendment especially

from our eminent friend from Mandaluyong, the distinguished Gentleman will notice that we have deleted the reference to "natural-born Filipinos who have lost their Philippine citizenship" and had made it generic so that it now reads: "Any Filipino...."

So to me, Mr. President, because of the deletion of the distinction, we do not distinguish now the "natural-born" from the "naturalized".

It is logical to reach a conclusion and, I think, we can express that to be the intention, if that is acceptable to the Chamber, that the repatriation reacquires his original status; otherwise, it is as though it were defective. He becomes a defective repatriated Filipino. It is as though he tacks on — it is analogical to tacking on — he goes back to his original status in life.

This is an opinion this Representation is offering by way of interpreting the effect of our deletion of the present phraseology.

**Senator Gonzales:** Mr. President, when we suggested that the word "natural-born citizen" be deleted together with the phrase "who lost Philippine citizenship for economic and other reasons", the idea is to make it generic in the sense that a Filipino citizen, whether he is natural-born or naturalized, who lost — for one reason or another — his Philippine citizenship, will have a means to reacquire it. There is no problem on that.

The problem I am posing is, in what status or condition does he reacquire his citizenship if he was formerly a natural-born citizen of the Philippines? For example, he lost it, let us say, by naturalization under the United States laws. Then, taking advantage of the law, he repatriates himself, runs for Congress, and his election is now contested on the ground that he is not a natural-born citizen of the Philippines. That is the issue posed.

My only question is, do we intend to settle that issue or just leave it to the court or tribunal in an appropriate case?

**Senator Roco:** Perhaps we can help in settling the issue, Mr. President, by putting on record now this analysis.

In the case of a natural-born citizen who may have lost it by marriage or for whatever reason, covered by other laws when he is repatriated, he is still a natural born because that particular status accrued upon birth. So, having lost it, he does not lose the elements of having been a natural born.

In the case of a naturalized Filipino who may have lost Philippine citizenship by marriage also or other reasons, the same reasoning applies.

**Senator Gonzales:** He is not a natural-born Filipino.

**Senator Roco:** He is not a natural-born Filipino. He is a naturalized Filipino. So, he can only reacquire the naturalized status. Maybe, in the second instance, there can be a specie of a naturalized Filipino. We will have a naturalized, repatriated Filipino. But in the case of a natural born, it seems logical to me that the elements of natural-born citizenship is reacquired.

**Senator Gonzales:** My problem with that, Mr. President, is this. My understanding under the Constitution is, to be a natural-born citizen of the Philippines, there are two requisites: One, he must be born a Filipino; and, two, he must remain so and continues to be so. In short, he does not have to perform any act to acquire or perfect his citizenship.

**Senator Roco:** That is right, Mr. President.

**Senator Gonzales:** But if, let us say, he lost that Philippine citizenship by naturalization in a foreign country, he has not remained a citizen of the Philippines. Worse, through the process of naturalization, he had renounced allegiance to the Republic of the Philippines. And, to reacquire his Philippine citizenship, he has to perform an independent act, i.e. the act of repatriation. Therefore, he would not be a natural-born citizen of the Philippines even if he reacquires his Philippine citizenship through repatriation.

**Senator Roco:** That is correct, Mr. President.

**Senator Gonzales:** Does the Sponsor not think, Mr. President, that, probably, it is wiser and more prudent that since this is a very serious constitutional matter, we leave it to the appropriate court or tribunal when the question is raised so that all sides can be heard and issues ventilated?

**Senator Roco:** Yes, Mr. President.

**Senator Gonzales:** This calls for an interpretation of the provision of the Constitution. Probably, our proceedings here may only serve as a guide and as an expression of sentiment on the part of some Members of this Body. So, let us leave the question open.

**Senator Roco:** We can see our way clear to agreeing to that position, Mr. President. I was going to propose the reversal so that we settle the rule. But by keeping quiet, by not suggesting a provision saying repatriation shall reacquire the original status, we leave the question open for an appropriate interpretation by the Supreme Court.

**Senator Gonzales:** I am wholeheartedly in conformity

with that but I foresee that that question will be raised.

In fact, Mr. President, — I do not know who was the examiner in Political Law but that question was asked in one bar examination. And absent any conclusive and definitive interpretation of the constitutional provision, the bar examinees gave opposite answers. Even the reviewers could not agree among themselves. So, I feel that it would be more prudent on our part to leave the matter open, Mr. President.

**Senator Roco:** We shall then follow the spirit of the discussion, Mr. President, because it is foreseeable that since the question of being natural born applies to holding a public office and in seeking public office one will always have an opponent, it is very conceivable that such an issue may be raised later on. So we leave it to the courts.

**Senator Gonzales:** Yes, Mr. President. With that clarification then, I want to thank the distinguished Sponsor. Thank you, Mr. President.

**Senator Roco:** The pleasure was ours, Mr. President.

**Senator Romulo:** Mr. President.

**The Presiding Officer [Senator Aquino]:** The Majority Leader is recognized.

#### SUSPENSION OF THE SESSION

**Senator Romulo:** I would like to ask for a brief suspension of the session because it seems to me, after the question posed by the Minority Leader, that this has implication on those who are running for office.

As pointed out by Senator Gonzales on the issue of natural-born citizens, we do not have objections as far as the women repatriation is concerned. But I just want to discuss with the Sponsor if it will really apply to certain people who want to run for office; and, therefore, they will qualify under the provisions of this bill.

May I ask for a one-minute suspension of the session, Mr. President.

**The Presiding Officer [Senator Aquino]:** The session is suspended for one minute, if there is no objection. *[There was none.]*

*It was 11:16 a.m.*

#### RESUMPTION OF THE SESSION

*At 11:22 a.m., the session was resumed.*

**The Presiding Officer [Senator Aquino]:** The session is resumed.

The Majority Leader.

**Senator Romulo:** Mr. President, the distinguished Sponsor has fully explained and clarified the issues that this Representation wanted to raise. Therefore, if there are no more Committee amendments...

**Senator Roco:** No, Mr. President, because of the transposition, there is an additional phrase to the new Section 1. It will read as follows: "REPATRIATION SHALL EXTEND TO THE MINOR CHILDREN OF THE APPLICANT."

May we have an approval of this, Mr. President.

**Senator Romulo:** We have no objection to that, Mr. President.

**The Presiding Officer [Senator Aquino]:** Is there any objection? *[Silence]* Hearing none, the amendment is approved.

**Senator Roco:** Section 2, page 2 of the House bill, Mr. President, shall be rephrased. It will contain the disqualifications.

Section 2 shall now read as follows: "THE OATH OF ALLEGIANCE SHALL BE ACCOMPANIED BY A SWORN STATEMENT OR AFFIDAVIT WHEREIN THE APPLICANT SHALL STATE THAT HE OR SHE DOES NOT POSSESS ANY OF THE FOLLOWING DISQUALIFICATIONS" as enumerated in the last portion of Section 1.

**The Presiding Officer [Senator Aquino]:** Is there any objection? *[Silence]* Hearing none, the amendment is approved.

**Senator Roco:** Sections 3 and 4 will remain the same, Mr. President. There will be individual amendments later on. We do have an amendment to the title, but we can take care of that after the individual amendments.

There are no further Committee amendments, Mr. President.

**Senator Romulo:** I move that we close the period of Committee amendments, Mr. President.

**The Presiding Officer** [Senator Aquino]: Is there any objection? [*Silence*] Hearing none, the motion is approved.

**Senator Romulo**: I move that we consider the individual amendments, Mr. President.

**The Presiding Officer** [Senator Aquino]: Senator Maceda is recognized.

#### MACEDA AMENDMENT

**Senator Maceda**: Mr. President, an appropriate line in Section 1. I do not know now the lines because of the amendments just approved. I would like to put in the requirement that "A FILIPINO MAY REPATRIATE HERSELF OR HIMSELF BY TAKING THE REQUIRED OATH BUT ONLY AFTER HAVING REESTABLISHED RESIDENCE IN THIS COUNTRY FOR AT LEAST ONE YEAR."

In all naturalization cases, whether in the Philippines or in the United States — in the United States it is five years — a certain amount of residence as an indication of the desire to really reacquire the person's roots and connections in the country must be required by way of at least a one-year residence period.

**The Presiding Officer** [Senator Aquino]: What does the Sponsor say?

**Senator Roco**: May we just discuss it a little, Mr. President. Does this mean, for instance, that in the case of those who have lost their Philippine citizenships... Let me identify Frivaldo, for instance. Since he has been here for the past three years, he can immediately take his oath because he had actual residence here for the past three years. Will this not be correct?

**Senator Maceda**: Yes, of course.

**Senator Roco**: So, under that amendment, all similarly situated individuals, maybe Labo of Baguio City and three or four others with pending cases with the Comelec.

**Senator Maceda**: Yes, Mr. President.

**Senator Roco**: So, it is very clear that the one year residence shall be computed — subject to style, if the distinguished Gentleman would be willing to put it — from actual residence which could have commenced long before. So, subject to style, Mr. President. If somebody just comes back, newly divorced Filipina, she must have one year residence here before she takes the oath. Will this be in conformity with the spirit of the amendment?

**Senator Maceda**: That is the spirit of the amendment, Mr. President. Certainly, we would not want to encourage people to come here for one day, take their oath and just go back to where they are residing.

**Senator Roco**: If the divorced Filipina comes home and says that she cannot take her oath in December and files her certificate of candidacy for Congress in Quezon, for instance, within that context, Mr. President, subject to style, the Committee will be amenable to accept it.

**The Presiding Officer** [Senator Aquino]: All right, there is no objection from the Committee.

**Senator Lina**: Mr. President.

**The Presiding Officer** [Senator Aquino]: Senator Lina is recognized. Does the distinguished Gentleman want to say something regarding the same subject matter? If it is a different subject matter, we can deal with this amendment.

**Senator Lina**: On the same subject matter, Mr. President. I would like to ask Senator Maceda, who introduced the individual amendment, whether the concept of one year actual residence would mean actual stay in the country. Because residence can be established in many ways — getting residence certificate, renting a place, or buying a house — but after one transaction, a person again leaves the country and then comes back after one year. Is the concept of actual residence, actual stay, continuous stay for one year?

**Senator Maceda**: Continuous, not necessarily so. But to be a resident in the usual context that it is understood in connection with the cases on political residence. The intention really is to establish a basis for determining that this citizen really wants to come back here and reacquire Filipino citizenship, but not just for purposes of getting a passport and not actually staying here or really fulfilling her allegiance to the country.

**Senator Lina**: I thank the distinguished Gentleman for that clarification.

**Senator Roco**: In that context, Mr. President, we will clean up the proper wordings to effect that concept.

**Senator Romulo**: Mr. President.

**The Presiding Officer** [Senator Aquino]: Senator Romulo is recognized.

**Senator Romulo**: Mr. President, with the understanding

that in addition to the clarification made here on the Floor, that the residency requirement is pursuant to the Supreme Court decisions on that matter.

**Senator Roco:** My only reservation, Mr. President, is that — because there are a host of Supreme Court rulings and there are conflicting provisions in the rulings — it may be a little difficult. If what we intend to achieve is the objective of preventing people who have just come in for purposes of getting a passport, we can put appropriate words. If the intention of the Majority Leader is not to exclude *animus revertendi*, we can also put appropriate words. Maybe we should work this out, Mr. President, before we finally agree. Because putting in words, saying that “subject to the rulings of the current jurisprudence on the matter,” may introduce very different interpretations.

**Senator Romulo:** Mr. President, the reason I have made that statement as a clarification is to avoid... Otherwise, I would ask that I be given time to review the Supreme Court decisions. It is farthest from my mind to delay the passage of this bill. That is why, as an omnibus sort of thing, I said, provided that it conforms and is pursuant to Supreme Court decisions.

**Senator Roco:** I see. So it is the concept of residence and no longer the concept of citizenship.

**Senator Romulo:** No, not the concept of citizenship. Just the concept of residence, establishing the residence, et cetera, Mr. President.

**Senator Romulo:** Okay. Then that will be all right. So that we divide residence from the question of citizenship.

**Senator Romulo:** That is correct, Mr. President. Strictly on the question and issue of residence.

**Senator Roco:** In which case, Mr. President, that is acceptable to the Committee as of now, subject to style.

**Senator Maceda:** Mr. President, let the record, therefore, reflect that the amendment is jointly submitted by Senator Romulo, Senator Lina and this Representation.

**Senator Romulo:** That is correct, Mr. President.

**The Presiding Officer [Senator Aquino]:** The Committee has accepted the amendment of Senators Maceda, Romulo and Lina. Is there any objection? [*Silence*] Hearing none, the amendment is approved, subject to style.

**Senator Maceda:** I have one more amendment, Mr. President. These days we see so many Filipinos who have

pending warrants of arrests, whether it is for insurance fraud or for carjacking, who have come back to this country to evade legal proceedings abroad.

So, under Section 2, subsection (3), “person convicted of crimes involving moral turpitude”, I would like to amend that by changing the wording to “PERSON CHARGED OF A CRIME INVOLVING MORAL TURPITUDE.”

The effect is, if the charge is dismissed at the appropriate time, then at that time there will no longer be any pending charge and she can take her oath and repatriate. Of course, if she is convicted, then the original intention will follow.

So, with that explanation, I would like to present an amendment to change the wordings from “Person convicted of crimes involving moral turpitude” to “PERSON CHARGED OF A CRIME INVOLVING MORAL TURPITUDE.”

**The Presiding Officer [Senator Aquino]:** Is the Gentlemen removing the word “convicted” or....

**Senator Maceda:** We are removing the word “convicted.”

**The Presiding Officer [Senator Aquino]:** What does the Sponsor say?

**Senator Roco:** I have a conceptual difficulty with the proposal, Mr. President. Maybe it can be clarified. Because under the presumption of innocence, being charged cannot have any legal effect. If we were to modify this and say that those charged will already be impeded in their desire to be repatriated, then we shall have a legal negative effect to just being charged. It is, therefore, penalty before hearing.

So, I have a little conceptual difficulty with the proposal. If I can request the Gentleman not to press the amendment.

**Senator Maceda:** Mr. President, let us look at it at a practical standpoint. The present formulation says “person convicted of crimes involving moral turpitude.” So, a Filipino takes his oath and he is repatriated. Subsequently, the charge resulted in a conviction. What happens then? A denaturalization process comes in? The better part of discretion is, while there is an actual charge, that it be a temporary disqualification until the case is resolved.

**Senator Roco:** I can see a very valid point by our good Friend from Manila and Ilocos Sur, Mr. President, except for the constitutional prohibition against penalties without due process. If he is there only charged, — and it is so easy to charge people — it may not be fair to the applicant. Anybody who disagrees

or anybody who has any beef or any "tampo" against the applicant can file a charge of bigamy, adultery or whatever involving moral turpitude, and there are a host of crimes. Effectively, we will be preventing or making it difficult to repatriate. If I can discuss a bit with the Gentleman...

**Senator Maceda:** Yes. I see the point. But I would also like to show my actual examples.

For example, lately, there was a Filipino who was convicted in Los Angeles or Las Vegas of drug-trafficking. Supposing before the conviction, that Filipino had come home to repatriate himself and reacquire Filipino citizenship. Then what happens? As I said, subsequently, *de facto* it has happened.

**Senator Roco:** All right. This is my proposal to the Gentleman: We can put a provision for denaturalization to be commenced by the Solicitor General. In case the affidavit or the sworn statement is proven to have perjurious statements, the repatriation process can be introduced.

**Senator Maceda:** In ordinary naturalization proceedings in this country, Mr. President — and the distinguished Senator is a practicing lawyer — the standard requirement is that the alien must be of good moral character. Does the existence of pending criminal cases operate as a bar?

If I recall right, one has to submit clearances from the NBI and the police agencies before one can even apply for naturalization.

Remember, Mr. President, at this point in time, while these are former Filipino citizens, they have become aliens and the reacquisition of citizenship is already in the nature of a privilege. Therefore, I do not think the concept of penalty should be applied strictly to them as under ordinary circumstances.

#### SUSPENSION OF THE SESSION

**Senator Roco:** Could I have a one-minute suspension of the session, Mr. President?

**The Presiding Officer [Senator Aquino]:** Yes. The session is suspended for one minute, if there is no objection. [*There was none.*]

*It was 11:37 a.m.*

#### RESUMPTION OF THE SESSION

*At 11:45 a.m., the session was resumed.*

**The Presiding Officer [Senator Aquino]:** The session is resumed.

**Senator Roco:** After discussion, Mr. President, we have worked out a compromise phrase so that instead of amending "convicted of crimes involving moral turpitude", that phrase remains. But we shall add a phrase to the effect that persons however who may be charged in the country of...what? In the country where they acquire...

**Senator Maceda:** Of their citizenship.

**Senator Roco:** Of their — yes — of their citizenship may take their oath of allegiance only after final judgment by the appropriate court in the country.

**Senator Maceda:** Final judgment of acquittal or dismissal.

**Senator Roco:** I will just say final judgment because if convicted, then they become disqualified.

**Senator Maceda:** Yes, with that understanding.

**The Presiding Officer [Senator Aquino]:** Senator Tañada is recognized.

**Senator Tañada:** Mr. President, instead of just limiting it to the foreign country where the person is presently a citizen, perhaps, it would be better to expand that to any foreign country where he may be facing charges.

**Senator Maceda:** Yes.

**Senator Roco:** In any event, we are referring to a charge of a crime involving moral turpitude. I mean, the civil cases will not be covered.

**Senator Tañada:** That is correct, Mr. President.

**Senator Roco:** So, words to that effect, yes.

**The Presiding Officer [Senator Aquino]:** So, the amendment of Senator Tañada is merely a rewording of the amendment of Senator Maceda.

**Senator Roco:** Yes, Mr. President.

**The Presiding Officer [Senator Aquino]:** What does the Sponsor say?

**Senator Roco:** With those modifications, Mr. President, the Committee will accept, subject to style.



**The Presiding Officer** [Senator Aquino]: The Committee accepts the amendment of Senator Maceda, subject to style. Is there any objection? [Silence] Hearing none, the same is approved.

**Senator Romulo:** I believe, Mr. President, there may be an amendment to the title.

**The Presiding Officer** [Senator Aquino]: Is there any more individual amendment? [Silence]

**Senator Roco:** If there are no further individual amendments, Mr. President, we suggest that the title be shortened so that it shall just be "AN ACT PROVIDING FOR THE REPARATION OF FILIPINOS." We do not have to say, "who have lost their Philippine citizenship."

**The Presiding Officer** [Senator Aquino]: Yes, yes, that is correct.

Is there any objection to the change in title? [Silence] Hearing none, the same is approved.

**Senator Romulo:** I move, Mr. President, that we close the period of individual amendments.

**The Presiding Officer** [Senator Aquino]: Is there any objection? [Silence] Hearing none, the motion is approved.

#### APPROVAL OF HOUSE BILL NO. 1248 ON SECOND READING

**Senator Romulo:** Mr. President, I move that we vote on House Bill No. 1248, as amended, on Second Reading.

**The President:** We shall now vote on the bill, as amended, on Second Reading. As many as are in favor of the bill, as amended, will please say *Aye*. [Several Senators: *Aye*] As many as are against will please say *Nay*. [Silence]

House Bill No. 1248, as amended, is approved on Second Reading.

**Senator Roco:** Thank you, Mr. President, I do have a mass to attend.

#### BILL ON SECOND READING Senate Bill No. 1933 - Continuing Registration of Voters

**Senator Romulo:** Mr. President, I move that we consider for Second Reading and Sponsorship Speech, Senate Bill No. 1933 as reported out under Committee Report No. 602. This is

the Continuing Registration of Voters Bill.

**The Presiding Officer** [Senator Aquino]: Consideration of Senate Bill No. 1933 is now in order.

With the permission of the Body, the Secretary will read only the title of the bill, without prejudice to inserting in the *Record* the whole text thereof.

**The Secretary:** Senate Bill No. 1933, entitled

#### AN ACT PROVIDING FOR A SYSTEM OF CONTINUING REGISTRATION OF VOTERS AND PRESCRIBING THE PROCEDURES THEREOF.

*The following is the full text of Senate Bill No. 1933:*

*Be it enacted by the Senate and House of Representatives  
of the Philippines in Congress assembled:*

**SECTION 1. Short Title.** - This Act shall be known as the "Continuing Registration of Voters Act of 1994."

**SEC. 2. Definition of Terms.** - For purposes of this Act, the term:

a) "Registration" refers to the act of a person of accomplishing and filing a sworn application with the election officer of the city or municipality wherein he resides for his inclusion in the list of qualified voters upon approval by the Election Registration Board.

b) "Registration Record" refers to an application for registration duly approved by the election registration board.

c) "Book of Voters" refers to the compilation of all registration records in a precinct.

d) "List of Voters" refers to an enumeration of names of registered voters in a precinct.

e) "Illiterate" or "disabled" person refers to one who cannot by himself prepare an application for registration.

f) "Commission" refers to the Commission on Elections.

**SEC. 3. Permanent List of Voters.** - There shall be